

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to HTA.

**CERTIFICATE OF NO OBJECTION AND REQUEST FOR ENTRY, WITHOUT A
HEARING, OF ORDER GRANTING SIXTY-FIRST OMNIBUS OBJECTION (NON-
SUBSTANTIVE) OF THE PUERTO RICO HIGHWAYS AND TRANSPORTATION
AUTHORITY TO DUPLICATE BOND CLAIMS (DOCKET ENTRY NO. 8289)**

On July 26, 2019, the Puerto Rico Highways and Transportation Authority (“HTA”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the representative of HTA, pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² filed, among others, the *Sixty-First Omnibus Objection (Non-Substantive) of the Puerto Rico Highways and Transportation Authority*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² PROMESA has been codified at 48 U.S.C. §§ 2101–2241.

to Duplicate Bond Claims (Case No. 17-03283-LTS, Docket Entry No. 8289) (the “Sixty-First Omnibus Objection”).

Responses, if any, to the Sixty-First Objection were to be filed and served no later than August 28, 2019 at 4:00 p.m. (Atlantic Time) (the “Objection Deadline”). According to this Court’s *Tenth Amended Case Management Procedures* (Case No. 17-03283-LTS, Docket Entry No. 8027-1) (the “Case Management Procedures”) and *Order Further Amending Case Management Procedures* (Case No. 17-03283-LTS, Docket Entry No. 8027), the Court may enter an order granting a request for relief without a hearing upon receipt of a certificate of no objection (“CNO”, as defined by the Case Management Procedures). *See* Case Management Procedures, Section III, paragraph P.

In accordance with the Case Management Procedures, the undersigned hereby certifies that this CNO is filed not less than forty-eight (48) hours after the expiration of the Objection Deadline. The undersigned further certifies that counsel for the Oversight Board has reviewed the Court’s docket in the above-captioned case not less than forty-eight (48) hours after expiration of the Objection Deadline, and, to the best of counsel’s knowledge, no applicable objection, responsive pleading, or request for a hearing with respect to the Objection appears on the docket.

[Remainder of Page Intentionally Left Blank]

WHEREFORE HTA respectfully requests that the Court enter the proposed order attached hereto as **Exhibit A**.

Dated: September 5, 2019
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock

Martin J. Bienenstock
Brian S. Rosen
(Admission *Pro Hac Vice*)
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900

/s/ Luis F. del Valle

Luis F. del Valle-Emmanuelli
USDC-PR No. 209514
P.O. Box 79897
Carolina, Puerto Rico 00984-9897
Tel. 787.647.3503
Fax. 787.763.8260
dvelawoffices@gmail.com

OF COUNSEL FOR
A&S LEGAL STUDIO, PSC
434 Avenida Hostos
San Juan, PR 00918
Tel: (787) 751-6764/ 763-0565
Fax: (787) 763-8260

*Attorneys for the Financial Oversight and
Management Board as representative for
HTA*

Exhibit A

Proposed Order

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to HTA.

ORDER GRANTING SIXTY-FIRST OMNIBUS OBJECTION
(NON-SUBSTANTIVE) OF THE PUERTO RICO HIGHWAYS AND TRANSPORTATION
AUTHORITY TO DUPLICATE BOND CLAIMS

Upon the *Sixty-First Omnibus Objection (Non-Substantive) of the Puerto Rico Highways and Transportation Authority to Duplicate Bond Claims* (Docket Entry No. 8289, the “Sixty-First Omnibus Objection”)² filed by the Puerto Rico Highways and Transportation Authority (“HTA”), dated July 26, 2019, for entry of an order disallowing in their entirety certain claims filed against HTA, as more fully set forth in the Sixty-First Omnibus Objection and the supporting exhibits

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Sixty-First Omnibus Objection.

thereto; and the Court having jurisdiction to consider the Sixty-First Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Sixty-First Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and no response or objection to the Sixty-First Omnibus Objection having been interposed; and each of the claims identified in Exhibit A to the Sixty-First Omnibus Objection being duplicative of one or more Master Proofs of Claim filed in the HTA Title III Case; and the Court having determined that the relief sought in the Sixty-First Omnibus Objection is in the best interest of HTA, its creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Sixty-First Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Sixty-First Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the claims listed on Exhibit A to the Sixty-First Omnibus Objection are hereby disallowed in their entirety; and it is further

ORDERED that Prime Clerk, LLC, is authorized and directed to delete the claims listed on Exhibit A to the Sixty-First Omnibus Objection from the official claims registry in the HTA Title III Case; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: _____

Honorable Judge Laura Taylor Swain
United States District Judge